UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,863	09/19/2001	Marian Valerie Underwood	GE-07053	9918

28581 7590 06/01/2005	EXAMINER
DUANE MORRIS LLP	ZHEN, LI B
PO BOX 5203	

	ART UNIT	PAPER NUMBER
PRINCETON, NJ 08543-5203	2194	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 February 2005_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1 and 2_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1 and 2_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _19 September 2001_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1 and 2 are pending in the application.

Drawings

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they include the following reference character(s) not mentioned in the

description: figure 5e. Corrected drawing sheets in compliance with 37 CFR 1.121(d),

or amendment to the specification to add the reference character(s) in the description in

compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid

abandonment of the application. Any amended replacement drawing sheet should

include all of the figures appearing on the immediate prior version of the sheet, even if

only one figure is being amended. Each drawing sheet submitted after the filing date of

an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next

Office action. The objection to the drawings will not be held in abeyance.

Response to Arguments

3.   Applicant's arguments with respect to the claims have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over U.S. Patent No. 6,857,016 to Motoyama et al. [hereinafter referred to as

Motoyama] in view of U.S. Publication No. 20020104071 to Charisius et al.

[hereinafter referred to as Charisius, cited in previous office action].

6.   As to claim 1, Motoyama teaches the invention substantially as claimed including

a track management system [computer workstation 26, Fig. 1; col. 4, lines 30 – 61] and

sensors [position reporting device 20, Fig. 1; col. 4, lines 30 – 60], a commercial off-the-

shelf (COTS) application server [Networking software that may be used to control the

network includes any desired networking software including software commercially

available from Novell or Microsoft; col. 6, lines 39 – 55] capable of receiving data in a

J2EE compliant protocol [general event management architecture of the position

reporting device 20 that can be implemented as any one, or a combination of, a

dynamic link library, a script, a JAVA, C++, or other object oriented language class; col.

7, lines 27 - 38], generating data representing target information from at least said

sensors, and communicating said data to said COTS application server in the form of a

J2EE compliant protocol [RecordEvent( ) allows the GPS receiver 150 to inform the

monitoring system 152 that it should record the position information; col. 7, line 39 – col.

8, line 2], and providing said processed data to a user [user of the workstation 26 is provided information on the location of a mobile object; col. 4, lines 30 – 62].

7.   Although, Motoyama teaches the invention substantially as claimed, Motoyama does not specifically teach providing a plurality of computer processing arrangements and processing the J2EE compliant data with a plurality of Enterprise Java Beans software components.

However, Charisius teaches providing a Commercial Off-the-Shelf (COTS) application server capable of receiving data in a Java Two Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 item 2006 EJB Application Server];

generating data representing target information from at least said sensors, and communicating said data to said COTS application server in the form of a Java Two Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 Client Application 2004, EJB container 2018, EJB 2002; Page 13 Section 0156 to Page 14 Section 0158]. From Fig. 20, the EJB Application Server 2006 is a target application server which provides service to its targets. Also Client Application 2004 is a client which also can be treated as a target [from the target application server's point of view] that talks/communicates with its server [target application server] in a form of a Java Two Enterprise Edition (J2EE) compliant protocol;

providing a plurality of computer processing arrangements, each of which is capable of processing Java [e.g., see Fig. 20 item 2004,item 2006; Fig. 21; Page 3 Section 0036 and Page 13 Section 0155];

in said application server, processing said J2EE compliant data with a plurality of

Enterprise Java Beans software components, establishing those of said computer

processing arrangements in which said data is processed [e.g., see Fig. 21 and Page 3

Section 0036, Page 13 Section 0155];

providing said J2EE compliant data to the selected ones of said computer

processing managements, for thereby generating processed data [e.g., see Fig. 21 and

Page 3 Section 0036, Page 14 Section 0163]; and

providing said processed data to a user [e.g., see Fig. 20 EJB Object Stub

(browser) 2012].

8.   It would have been obvious to a person of ordinary skill in the art at the time of

the invention to apply the teaching of providing a plurality of computer processing

arrangements and processing the J2EE compliant data with a plurality of Enterprise

Java Beans software components as taught by Charisius to the invention of Motoyama

because distributed computing allows a business system to be more accessible to

enterprise affiliates such as suppliers, customers, business partners, or financial lending

institutions and Enterprise JavaBean defines the architecture for developing distributed

business objects so that a remote client application run by an enterprise affiliate can

access business logic managed by an enterprise application server [p. 2, section (0019)

of Charisius].

9.   As to claim 2, Motoyama as modified teaches the method comprising the steps

of:

a track management system [computer workstation 26, Fig. 1; col. 4, lines 30 –

61 of Motoyama] and sensors [position reporting device 20, Fig. 1; col. 4, lines 30 – 60

of Motoyama];

providing a COTS application server capable of receiving data in a Java Two

Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 item 2006 EJB

Application Server of Charisius; col. 6, lines 39 – 55 of Motoyama];

generating data representing target information from at least said sensors, and

communicating said data to said COTS application server in the form of a Java Two

Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 Client Application 2004,

EJB container 2018, EJB 2002; Page 13 Section 0156 to Page 14 Section 0158 of

Charisius; col. 7, line 39 – col. 8, line 2 and col. 7, lines 27 – 38 of Motoyama];

providing a plurality of computer processing arrangements, each of which is

capable of processing Java [e.g., see Fig. 20 item 2004,item 2006; Fig 21; Page 3

Section 0036 and Page 13 Section 0155 of Charisius];

in said application server, processing said J2EE compliant data with one of (a)

plurality of Enterprise Java Beans software components and (2) a Common Object

Request Broker Architecture (CORBA) software component arrangement, to establish

those of said computer processing arrangements in which said data is processed [e.g.,

see Fig. 21 and Page 3 Section 0036, Page 13 Section 0155 of Charisius];

providing said J2EE compliant data to the selected ones of said computer

processing arrangements, for thereby generating processed data [e.g., see Fig. 21 and

Page 3 Section 0036, Page 14 Section 0163 of Charisius]; and

providing said processed data to a user [e.g., see Fig. 20 EJB Object Stub

(browser) 2012 of Charisius; col. 4, lines 30 – 62 of Motoyama]. Upon further

consideration, examiner notes that the previous reference to U.S. Patent Application

Publication No. 2003/0065827A1 to (Skufca) is no longer needed because the claim 2

does not require both J2EE and CORBA software components. Claim 2 recites,

"processing said J2EE compliant data with **one of** (a) an ENTERPRISE JAVABEANS

software component arrangement and (b) a Common Object Request Broker

Architecture (CORBA) software component arrangement..." [lines 12 – 14, emphasis

added]. Examiner notes that only one of an Enterprise JavaBeans software component

or CORBA software component is required to process the J2EE compliant data and

Charisius teaches processing J2EE compliant data with Enterprise JavaBeans [e.g.,

see Fig. 21 and Page 3 Section 0036, Page 13 Section 0155 of Charisius]. Therefore,

Motoyama as modified by Charisius teaches claim 2 as recited.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

U.S. Patent No. 6,421,608 to Motoyama et al. teaches a remote position

monitoring system, method, and computer-program product using a global position

satellite receiver and information from at least two global position satellites to determine

a position of a mobile object with the global position satellite receiver and report via

Internet the position of the mobile object to a recipient in search of the mobile object.

U.S. Patent No. 6,083,353 to Alexander teaches devices and methods for efficiently and accurately gathering image and other field data using a handheld portable Geographic Data Manager.
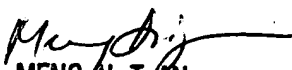
U.S. Patent No. 6,072,431 to Froeberg teaches an extensible Global Positioning System (GPS) receiver system.

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2194

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SUPERVISORY PATENT EXAMINER
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